

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

BRISTOL REGIONAL WOMEN'S CENTER,  
P.C., on behalf of itself and its patients; *et al.*,

Plaintiffs,

v.

HERBERT H. SLATERY III, Attorney General of  
Tennessee, in his official capacity; *et al.*,

Defendants.

CASE NO. 3:15-cv-00705

JUDGE FRIEDMAN

MAGISTRATE JUDGE  
FRENSELEY

**PLAINTIFFS' UNOPPOSED MOTION TO TOLL THE DEADLINE FOR PLAINTIFFS'  
MOTION FOR ATTORNEYS' FEES AND COSTS**

Plaintiffs hereby move this Court to toll the deadline for Plaintiffs to file their motion for costs and attorneys' fees. In support thereof, Plaintiffs represent as follows:

1. On October 14, 2020, the Honorable Bernard A. Friedman entered Judgment for Plaintiffs, permanently enjoining enforcement of "Tenn. Code Ann. § 39-15-202(a)-(h) to the extent it imposes a mandatory 48- or 24-hour waiting period for those seeking abortion care." ECF No. 276.

2. Pursuant to Middle District of Tennessee Rule 54.01(a)-(b), Plaintiffs must file a bill of costs and motion for attorneys' fees within thirty (30) days from entry of final judgment. As such, Plaintiffs' deadline to file such a motion is presently November 13, 2020. Rule 54.01 contains no provision to toll the deadline while this Court's Judgment is appealed.

3. On October 30, 2020 counsel for Plaintiffs and Defendants consulted regarding the thirty (30) day deadline imposed by Rule 54.01. Counsel for Defendants indicated that they intend to file an appeal of this Court's Judgment. Counsel for both parties agreed that Plaintiffs would

file the instant Motion in the interests of judicial economy and conserving the litigants' resources. Defendants agreed that they do not oppose this motion.

4. Nothing in this motion constitutes a waiver of Defendants' right to object to Plaintiffs' request for costs and attorneys' fees, once filed.

Wherefore, Plaintiffs respectfully move the Court to grant their Unopposed Motion to Toll the Deadline for Plaintiffs' Motion for Attorneys' Fees and Costs, and allow them to file such bill of costs and motion within sixty (60) days of the conclusion of any and all appeals associated with the Judgment in this matter.

Dated: October 30, 2020

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing has been served on the following counsel of record for Defendants through the Electronic Filing System on this 30<sup>th</sup> day of October, 2020:

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*/s/ Scott Tift*  
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